

WAITT RADIO

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June 17, 2004

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
455 12th Street, S.W.
Washington, D.C. 20445

RECEIVED

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FC:



5011 Capitol Ave.
Omaha, NE 68132
Phone: 402-342-2000
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RE: MB Docket No. 04-160

Dear Ms. Dortch:

I am writing in support of the petition filed by the National Association of Broadcasters on April 14, 2004 seeking a Declaratory Ruling on satellite radio's broadcasting of local weather and traffic, and future plans to expand their reach into local radio.

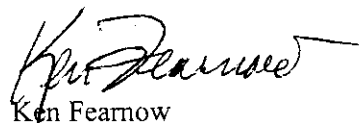
XM Radio was represented at numerous broadcast conventions I attended prior to the launch of their satellite radio service. The company's representative would sit on panels and actually conduct sessions to explain their business model and field questions from broadcasters. Without exception, local broadcasters were assured at every meeting that in no way would XM Radio compete with them, as they would provide no local content. It was explained that all aspects of XM's business would be nationally centered. Representatives actually expressed bewilderment as to why terrestrial broadcasters would have concerns about their national satellite service. Now that XM is fully operational, it is obvious they lied during the formative stages of their business development.

XM or Sirius should not be permitted to initiate localized service of any kind. Traffic and weather reports are fundamental programming components of most radio stations and additional service is not needed from satellite programming providers. Furthermore, allowing the satellite companies to provide localized broadcast services threatens the welfare of terrestrial radio broadcasters who give billions of dollars annually to their local communities through countless public service initiatives.

I oversee eight radio stations in Omaha, Nebraska, all of which provide traffic and weather coverage in our community. Because we outsource our traffic to a company in exchange for valuable inventory, it becomes a bona fide business expense. We invest in news personnel and have developed partnerships with local television broadcasters to provide accurate and immediate weather information. It would not be fair or reasonable for local broadcasters to compete with the satellite radio companies for these services.

We implore the FCC to please support the NAB's petition and to hastily clarify to both XM and Sirius that they are authorized to operate as a national-only satellite radio service.

Sincerely,


Ken Fearnow

Regional Vice President
Waitt Radio

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